

SIKKIM
GOVERNMENT **GAZETTE**



**EXTRAORDINARY
PUBLISHED BY AUTHORITY**

Gangtok

Thursday 19th November, 2009

No. 468

**GOVERNMENT OF SIKKIM
HOME DEPARTMENT
GANGTOK-737101**

No. 140 /Home/2009

Dated: 16.11.2009

NOTIFICATION

Whereas allegations have been raised by members of the general public regarding sale or lease or transfer of land from private individuals, land owners to organizations, companies, factories, industries, hotels or any other business enterprises or entrepreneurs during the preceding five years wherein there has been allegations of less payment to the actual owner due to underhand operation of middle man or third party dealers other than the land owners and the organization seeking the land in the State;

And whereas the State Government having been deeply concerned about such cases of sale or lease or transfer of land from private individuals, land owners to organizations, companies, factories, industries, hotels or any other business enterprises or entrepreneurs during the preceding five years wherein there has been allegations of less payment to the actual owner due to underhand operation of middle man or third party dealers other than the land owners and the organization seeking the land in the State, has decided to appoint a Commission of Inquiry for the purpose of making inquiry into such cases of sale or lease or transfer of land from private individuals, land owners to organizations, companies, factories, industries, hotels or any other business enterprises or entrepreneurs during the preceding five years wherein there has been allegations of less payment to the actual owner due to underhand operation of middle man or third party dealers other than the land owners and the organization seeking the land;

Now, therefore in exercise of the powers conferred by sub-section (1) of section 3 read with sub-section (1) of section 5 of the Commission of Inquiry Act, 1952 (60 of 1952), the State Government hereby appoints a Commission of Inquiry consisting of Hon'ble Shri R.K. Patra, retired Chief Justice of the High Court of Sikkim, to inquire into and report in respect of the following matters within six months from the date of publication of the Notification namely:-

- (iv) to inquire into allegations of sale or lease or transfer of land from private individuals, land owners to organizations, companies, factories, industries, hotels or any other business

enterprises or entrepreneurs during the preceding five years wherein there has been allegations of less payment to the actual owner due to underhand operation of middle man or third party dealers other than the land owners and the organization seeking the land in the State,

- (v) suggest measures for avoiding and stopping such cases of sale or lease or transfer of land from private individuals, land owners to organizations, companies, factories, industries, hotels or any other business enterprises or entrepreneurs during the preceding five years wherein there has been allegations of less payment to the actual owner due to underhand operation of middle man or third party dealers other than the land owners and the organization seeking the land,
- (vi) any other matter connected with or incidental thereto as the Commission may consider appropriate including any suggestion thereof.

2. Further the State Government hereby directs that the provisions of sub-section (2), (3), (4) and (5) of section 5 of the said Act shall apply to the Commission as the State Government is of the opinion that having regard to the nature of the inquiry to be made and other circumstances, those provisions shall be made applicable to the Commission.
3. This Commission shall also perform such other functions as are necessary or incidentals to the inquiry.
4. The headquarters of the Commission shall be at Gangtok, but the Commission may hold inquiry at any other place or places as may be necessary for the purpose of inquiry.
5. The Secretary, Law Department, Government of Sikkim shall be the Secretary to the Commission.

**T.T. DORJI, IAS
CHIEF SECRETARY**